

Paper 61

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Filed June 30, 2008

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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JONATHAN D. ZOOK, DAVID W. JORDAN, DEAN M.  
WILLARD, GEORGE JONES, and MICHAEL COSMAN,  
Junior Party ("PBT")  
(U.S. Patents 6,525,168 and 6,723,827),

v.

JONATHAN D. ZOOK, SUSAN E. DEMOSS,  
DAVID W. JORDAN, and CHANDRA B. RAO  
Senior Party ("PRC")  
(U.S. Application 10/644,389).

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Patent Interference No. 105,555 (MPT)  
(Technology Center 1700)

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Before: JAMESON LEE, SALLY GARDNER LANE, and MICHAEL P.  
TIERNEY, Administrative Patent Judges.

1                           **Judgment – Priority - Bd. R. 127**

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TIERNEY, Administrative Patent Judge.

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1       Junior Party PBT did not file a priority statement and has  
2 acknowledged that it does not contest priority of invention as to Count 1.  
3 (Paper 22, p. 2, ll. 6-7). Judgment on priority of invention as to Count 1 is  
4 entered against PBT.

5       It is:

6           **ORDERED** that judgment is entered against Junior Party PBT  
7 for Count 1.

8           **FURTHER ORDERED** that PBT claims 1-13 of involved  
9 U.S. Patent 6,525,168 and claims 9-12 of involved U.S. Patent 6,723,827 are  
10 CANCELLED, 35 U.S.C. § 135(a).

11          **FURTHER ORDERED** that a copy of this judgment be  
12 entered into the administrative records of the involved U.S. Patents  
13 6,525,168 and 6,723,827 and U.S. Application 10/644,389.

1 cc (via electronic filing):

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